

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PHILLIP CARL JABLONSKI,

Petitioner,

v.

RONALD DAVIS, Warden of California
State Prison at San Quentin,

Respondent.

Case No. 3:07-cv-3302-SI


DEATH PENALTY CASE

ORDER DISMISSING PETITION WITH
PREJUDICE DUE TO PETITIONER'S
DEATH

Counsel for Petitioner has advised the court that Petitioner died on December 27, 2019. *See* Dkt. No. 73. The death of a habeas corpus petitioner renders the petition moot. *See, e.g., Dove v. United States*, 423 U.S. 325 (1976) (dismissing certiorari petition after being advised of petitioner's death); *Garceau v. Woodford*, 399 F.3d 1101 (Mem.) (9th Cir. Mar. 3, 2005) (citing *Griffey v. Lindsey*, 349 F.3d 1157 (9th Cir. 2003) ("Because petitioner's death renders this case moot, the petition for a writ of habeas corpus should be dismissed as moot."). Accordingly, the petition for writ of habeas corpus in this matter is dismissed with prejudice.

IT IS SO ORDERED.

Dated: 1/3/20


SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE